REDACTED

AFFIDAVIT

I, Bryan J. Allen, a Task Force Officer with the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn, depose and state as follows:

- I have been employed as a Canton Police Officer for approximately twenty one years, and am currently assigned to the Cleveland Division, Canton Resident Agency's Child Exploitation Task Force. While employed by the Canton Police Department and assigned to the FBI, I have assisted in the investigation of federal criminal violations related to Violent Crimes and the FBI's Innocent Images National Initiative, which investigates matters involving the online sexual exploitation of children. I have gained experience through training at the FBI's Innocent Images National Initiative training center and everyday work related to conducting these types of investigations.
- 3. As will be shown below, there is probable cause to believe that Gary L. Fisher has knowingly used, persuaded, induced, enticed and coerced a minor to engage in sexually explicit conduct for the purpose of creating a visual depiction of such conduct, and such visual depiction has actually been transported in and affecting interstate and foreign commerce, in violation of Title 18, U.S.C., Section 2251(a).
- I am submitting this affidavit in support of an arrest warrant authorizing the arrest of Gary L.
   Fisher of 3<sup>rd</sup> Ave in Mansfield, Ohio.
- The statements contained in this affidavit are based in part on: information provided by FBI
   Special Agents and Task Force Officers; written reports about this and other investigations that I have

received, directly or indirectly, from other law enforcement agents, independent investigation and analysis by FBI agents/analysts and computer forensic professionals; and my experience, training and background as a police officer and Task Force Officer with the FBI. Because this affidavit is being submitted for the limited purpose of supporting a criminal complaint, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish the necessary foundation for the complaint.

#### PROBABLE CAUSE

8.

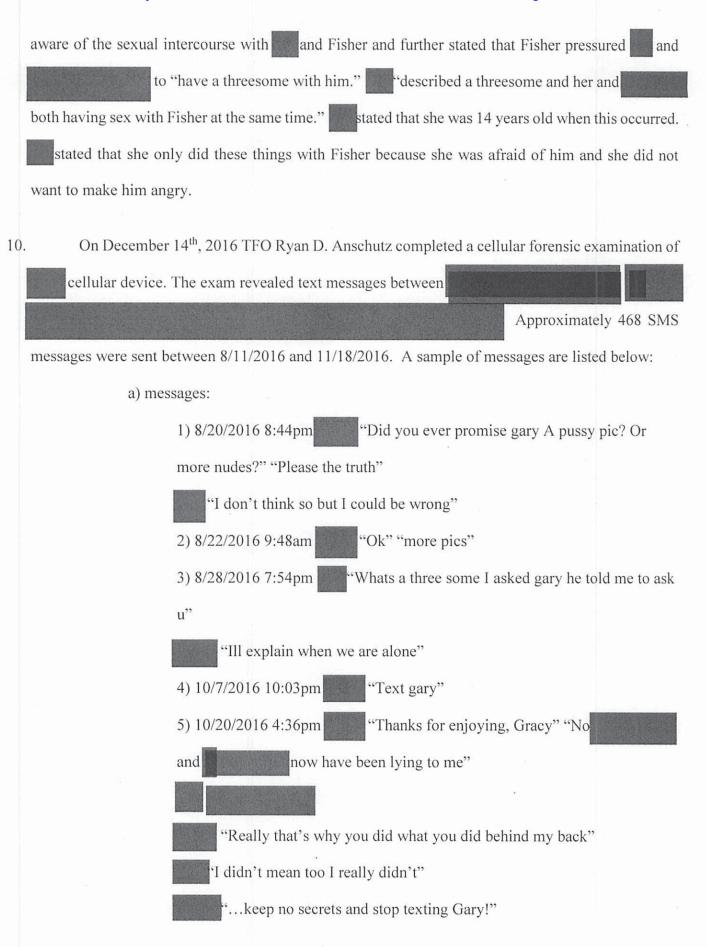
6. On December 12, 2016 TFO Ryan D. Anschutz of the FBI Child Exploitation Task Force (CETF), was contacted by SA Patrick Howley of the FBI Pittsburgh Division, and Trooper Sarah Teagarden of the Pennsylvania State Police.

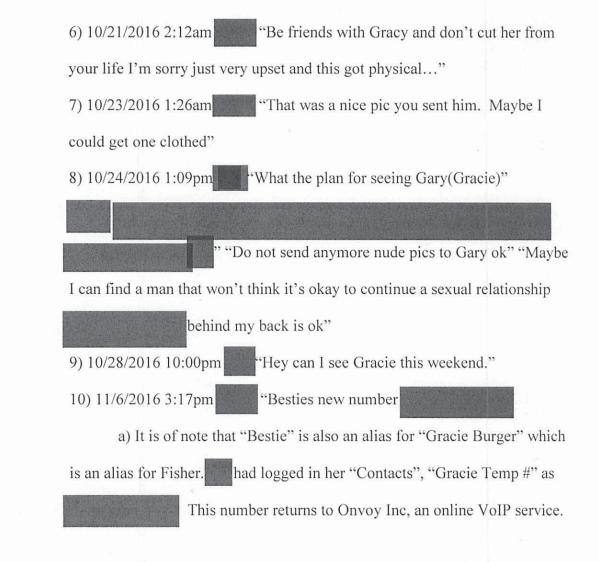
7. Tpr Teagarden advised that the Pennsylvania State Police was investigating a sexual abuse of a child on 11/30/2016 at which time she made contact with a minor child (herein referred as DOB: X/XX/

On 11/30/2016 at 1415 an interview was conducted with at which time she stated that she was engaging in messaging with Gary L. Fisher, stated that Fisher would contact her on Facebook Messenger, text messages and through phone calls to her cell phone and ask her to send sexually explicit pictures and videos of herself. stated that this occurred when she lived in and continued when she moved to

9. stated that when she lived in with him. stated that Fisher inserted his penis in her vagina. further stated that was

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9. The investigation revealed Facebook Messenger chats between Fisher and which occurred in October 2016. There were approximately 1200+ messages between Fisher and between 10/27/2016 and 11/6/2016. 21 images and 10 videos were sent between Fisher and in that time period with 7 videos and 7 images depicting child pornography. Additional messages were located between and "Gracie Burger" aka Gary Fisher. There were approximately 350-400 messages sent between 11/18/2016 and 11/27/2016. 2 videos were sent from to "Gracie Burger/Bestie" depicting child pornography. The same 2 videos sent from were sent back from "Gracie Burger/Bestie" to ater in the conversation. Listed below are a sample of the 2 video files sent between Fisher and ater in the 2 video files sent between "Gracie Burger/Bestie" and

a) video-147780246.mp4

Description: The video depicts dressed in a white t-shirt and white panties sitting on a bed. Then lays back on the bed with the camera at her feet as she spreads her legs. Upon spreading her legs she then pulls her panties to the side, exposing her genitalia, at which time she penetrates her genitalia with her fingers. The video is 1 min 34 seconds in length.

b) video-1477802468.mp4

Description: The video depicts dressed in a white t-shirt and white panties sitting on a bed. Then lays on her back and spreads her legs with the camera at her feet. Then pulls her panties to the side, exposing her genitalia, at which time she penetrates her genitalia with her fingers. The video is 1 minute in length.

c)video-1479664261.mp4

Description: The video depicts sitting on a bed dressed in a red bra and blue panties with white dots. Then lays on her back, spreading her legs to get a visual of her covered genitalia, at which time she then turns around and bends over in front of the camera showing her covered buttocks. Then lays back down on the bed, removes her panties to expose her genitalia at which time she spreads her genitalia open with her fingers. The video is 2 minutes 27 seconds in length.

d)video-1479664460.mp4

Description: The video depicts laying on a bed with a red bra on, and her genitalia exposed. then spreads her legs exposing her genitalia and spreading her genitalia open with her fingers for the camera. The video is 1 minute 46 seconds in length.

- e) messages:
  - 1) 10/27/2016 9:57pm-10:10pm Fisher: "I want to see up inside your pussy"

"I'll try and do that"

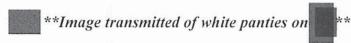
Fisher: "Try really hard"



Fisher: "I have your pictures done" "What did you think of the pic i sent earlier"



Fisher: "Only good?" "What pic are you talking about" "Not what I was hoping for but okay"



Fisher: "Yes like that"

"What pic r u talking about"

Fisher: "Dick"

"Really good pic"

Fisher: "of a really horny good dick"

\*\*Image transmitted of female legs spread and fingers spreading genitalia

Fisher: "More open"

open\*\*

\*\*Image transmitted of female legs spread and fingers spreading genitalia
open\*\*

Fisher: "A little more"

\*\*Image transmitted of female legs spread and fingers spreading genitalia

open\*\*

"That good"

Fisher: "Want to see the hole"

\*\*Image transmitted of female legs spread and fingers spreading genitalia

open\*\*

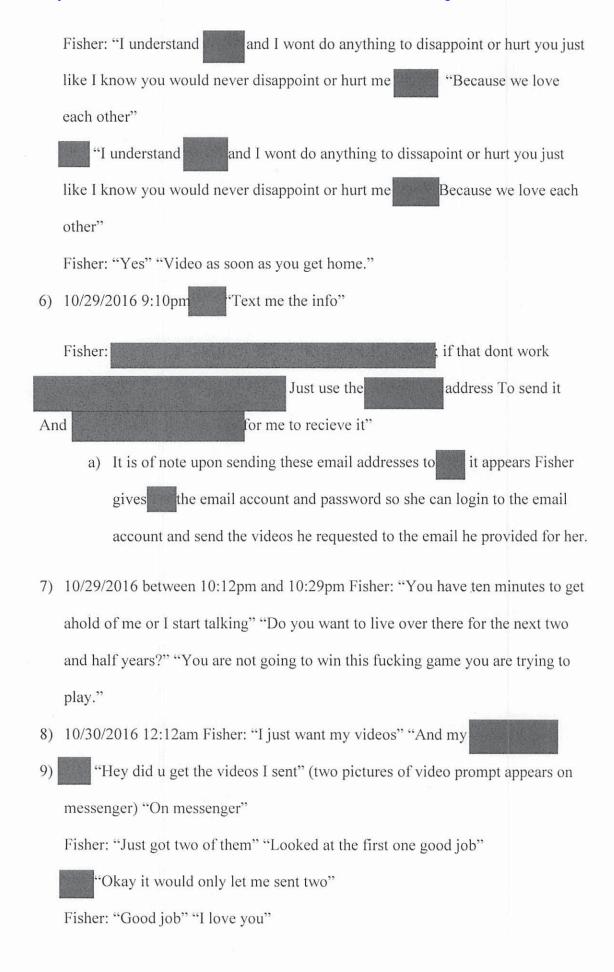
Fisher: "To far up"

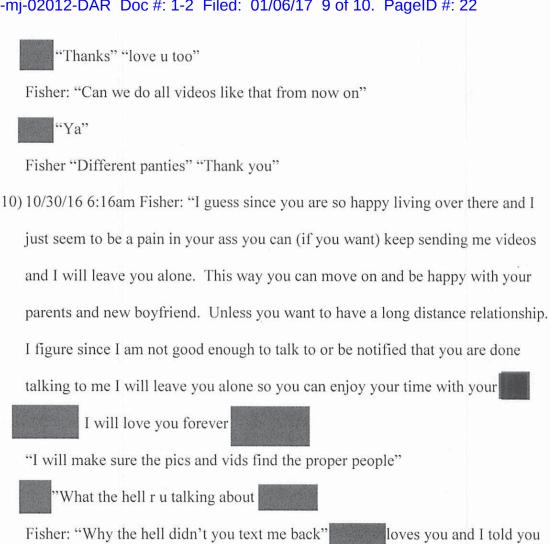
Is that good enough i really tried to"

- On 10/27/2016 between 10:12pm and 11:37pm Fisher continues to talk about wanting 6 more pictures from howing her in different panties and is resistant to this request because of ends up sending 6 pictures to Fisher of her in panties focused on her covered genitalia area. Fisher then requests to talk about sex, at which time they engage in sexually explicit conversation about what Fisher wants to do with sexually. Fisher also requests send an image of her face with naked body, of which she does at 11:26pm and 11:28pm with her face and exposed breasts.
- 3) 10/29/2016 between 1:26am and 4:04am: After more conversation and videos sent to Fisher from stops messaging Fisher after he has given her instructions on more videos to send, such as "It better be eight minutes long" "with panties on and I want to see your finger going in and out" "make sure the camera gets it or you will redo it." Fisher becomes upset with does not return his messages, Fisher then attempts to message, call and video chat her several times to no avail. At 1:57am he sent a video with black background and his voice stating "Bad news you lost the game." Fisher continues attempting contact with to no avail and at 4:04am he sends another video to with his face visible in the camera stating "you are playing a game you cannot win, so if I was you I would send that freaking video, I'd stop trying to play this game your tryin' to play."
- 4) 10/29/2016 Fisher: "Dissapoint me or not make them so I can see white panties pussy and finger inside pussy and life will not be pretty" "Understood?"
- 5) Fisher: "Say it"

"Say what"

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- before I get worried if I don't hear from you."
- 11) 10/31/2016 5:12am Fisher: "I am missing you like crazy! I wish you and were here right now! Hope to see you soon! Love Always
- 10. On December 15, 2016 Gary L. Fisher was interviewed at the Richland County Jail after being advised of his Miranda warnings. Fisher admitted to having a Facebook account under "Gary Fisher" and stated that he only spoke to "only a couple times" and their conversation consisted of "I love you and I miss you." Fisher advised that he de-activated his Facebook account when requested to do so by his parole officer. Fisher stated that he assumed a
- On December 14th, 2016 TFO Ryan D. Anschutz completed a cellular forensic examinati 11.

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on of cellular device. The forensic exam revealed the number	to be logged
within "Contacts" under "Gracie Burger" (this was an alias used to refer	r to Fisher by TG and TG's
mother), and a deleted contact "Garbear" with the same number,	

#### **CONCLUSION**

12. Based on the aforementioned factual information, your affiant respectfully submits that there is probable cause to believe that Gary L. Fisher did knowingly use, persuaded induce, entice and coerce a minor to engage in sexually explicit conduct for the purpose of creating a visual depiction of such conduct, and such visual depiction has actually been transported in and affecting interstate and foreign commerce, in violation of Title 18, U.S.C., Section 2251(a).

Bryan J. Allen Task Force Officer Federal Bureau of Investigation

Sworn and subscribed before me this 6th day of January, 2017

David A. Ruiz UNITED STATES MAGISTRATE JUDGE